



12-18-03

3752

RECEIVED

DEC 22 2003

TECHNOLOGY CENTER R3700

PATENT

Attorney Docket No. 859/US/3

Express Mail Label No. EV 410 059 810 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Robert B. MALE, et al.

Examiner: Not Known

Serial No. 10/658,032

Art Unit: 3752

Filed: September 9, 2003

For: **FLEXIBLE SHOWER ARM ASSEMBLY****CERTIFICATE OF MAILING BY EXPRESS MAIL**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned hereby certifies that the following documents:

1. Transmittal of Information Disclosure Statement;
2. Information Disclosure Statement Under 37 C.F.R. 1.97(d)(1);
3. Form PTO-1449 (citing 283 references);
4. Certificate of Mailing by Express Mail; and
5. Return Card,

relating to the above application, were deposited as "Express Mail," Mailing Label No. EV 410 059 810 US with the United States Postal Service, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 16th day of December, 2003.

Mailer

Lee R. Osman

Attorney for Assignee

DORSEY & WHITNEY LLP

USPTO Customer No. 20686



RECEIVED

DEC 22 2003

TECHNOLOGY CENTER R3700
PATENT

Attorney Docket No. 859/US/3
Express Mail Label No. EV 410 059 810 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Robert B. MALE, et al.

Serial No. **10/658,032**

Filed: **September 9, 2003**

For: **FLEXIBLE SHOWER ARM ASSEMBLY**

Examiner: **Not Known**

Group Art Unit: **3752**

Confirmation No.: **2069**

INFORMATION DISCLOSURE STATEMENT
Under 37 C.F.R. §§ 1.97(b)(3)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

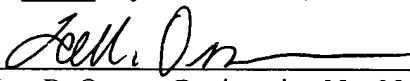
Sir:

Pursuant to 37 C.F.R. §§ 1.97, the Examiner may wish to consider the references listed on the attached Form PTO-1449. In submitting these references for the Examiner's consideration, no representation is made or implied that the references are or are not material to the examination of the application. The Examiner is encouraged to make his or her own determination of materiality.

This application is a continuation of U.S. Application No. 09/615,299 (now Patent No. 6,629,651). These references were cited in that patent and, therefore, copies of the cited documents are not provided herewith.

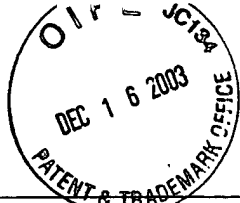
This Information Disclosure Statement is being filed pursuant to 37 C.F.R. § 1.97(b)(3) before the mailing of a first Office action. Thus, no petition fee is believed required. However, any fees associated with the communication may be charged to Deposit Account No. 04-1415.

Signed at Denver, Colorado, this 16 day of December, 2003.



Lee R. Osman, Registration No. 38,260
Attorney for Assignee
DORSEY & WHITNEY LLP

USPTO Customer No. 20686



RECEIVED

DEC 22 2003

Sheet 1 of 9

TECHNOLOGY CENTER R3700

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE (Modified) PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)	ATTY. DOCKET NO. 859/US/3	SERIAL NO. 10/658,032
	APPLICANT: Robert B. MALE et al.	
	FILING DATE September 9, 2003	GROUP 3752

	EXAMINER INITIAL		PATENT NUMBER	ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
1.			203,094	4/1878	Wakeman			
2.			428,023	5/1890	Schoff			
3.			445,250	1/1891	Lawless			
4.			486,986	11/1892	Schinke			
5.			566,410	8/1896	Schinke			
6.			570,405	10/1896	Jerguson et al.	138	120	
7.			800,802	10/1905	Franquist			
8.			832,523	10/1906	Andersson			
9.			854,094	5/1907	Klein			
10.			926,929	7/1909	Dusseau			
11.			1,001,842	8/1911	Greenfield			
12.			1,003,037	9/1911	Crowe			
13.			1,018,143	2/1912	Vissering			
14.			1,217,254	2/1917	Winslow			
15.			1,218,895	3/1917	Porter			
16.			1,255,577	2/1918	Berry			
17.			1,260,181	3/1918	Garnero			
18.			1,276,117	8/1918	Riebe			
19.			1,327,428	1/1920	Gregory			
20.			1,451,800	4/1923	Agner	285	146.1X	
21.			1,469,528	10/1923	Owens			
22.			1,500,921	7/1924	Bramson et al.	285	146.2X	
23.			1,560,789	11/1925	Johnson et al.			
24.			1,597,477	8/1926	Panhorst			
25.			1,692,394	11/1928	Sundh			
26.			1,695,263	12/1928	Jacques	138	120	
27.			1,724,147	8/1929	Russell	239	283	
28.			1,736,160	11/1929	Jonsson			
29.			1,754,127	4/1930	Srulowitz			



RECEIVED

DEC 22 2003

Sheet 2 of 9

TECHNOLOGY CENTER R3700

	EXAMINER INITIAL		PATENT NUMBER	ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
30.			1,758,115	5/1930	Kelly			
31.			1,778,658	10/1930	Baker			
32.			1,821,274	9/1931	Plummer			
33.			1,906,575	5/1933	Goeriz			
34.			2,024,930	8/1935	Judell			
35.			2,044,445	6/1936	Price et al.	239	587.4X	
36.			2,177,152	5/1939	Crosti			
37.			2,196,783	4/1940	Shook	239	587.4X	
38.			2,197,667	4/1940	Shook			
39.			2,268,263	5/1941	Newell et al.			
40.			2,342,757	2/1944	Roser			
41.			D147,258	8/1947	Becker			
42.			D152,584	2/1949	Becker			
43.			2,467,954	4/1949	Becker			
44.			2,546,348	3/1951	Schuman			
45.			2,581,129	1/1952	Muldoon			
46.			D166,073	3/1952	Dunkelberger			
47.			2,648,762	8/1953	Dunkelberger			
48.			2,664,271	12/1953	Arutunoff			
49.			2,676,806	4/1954	Bachman			
50.			2,679,575	5/1954	Haberstump			
51.			2,680,358	6/1954	Zublin	285	146.1X	
52.			2,759,765	8/1956	Pawley			
53.			2,776,168	1/1957	Schweda			
54.			2,873,999	2/1959	Webb			
55.			2,931,672	4/1960	Merritt et al.			
56.			2,966,311	12/1960	Davis			
57.			D190,295	5/1961	Becker			
58.			D192,935	5/1962	Becker			
59.			3,032,357	5/1962	Shames et al.			
60.			3,034,809	5/1962	Greenberg			
61.			3,103,723	9/1963	Becker			
62.			3,111,277	11/1963	Grimsley			
63.			3,143,857	8/1964	Eaton			
64.			3,196,463	7/1965	Farneth			



RECEIVED

DEC 2 2 2003

Sheet 3 of 9

TECHNOLOGY CENTER R3700

	EXAMINER INITIAL		PATENT NUMBER	ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
65.			3,266,059	8/1966	Stelle			
66.			3,306,634	2/1967	Groves et al.			
67.			3,329,967	7/1967	Martinez et al.			
68.			3,389,925	6/1968	Gottschald			
69.			3,393,311	7/1968	Dahl			
70.			3,393,312	7/1968	Dahl			
71.			3,402,893	9/1968	Hindman	239	546	
72.			3,492,029	1/1970	French et al.			
73.			3,546,961	12/1970	Marton			
74.			3,565,116	2/1971	Gabin			
75.			3,584,822	6/1971	Oram			
76.			3,612,577	10/1971	Pope			
77.			3,641,333	2/1972	Gendron			
78.			3,663,044	5/1972	Contreras et al.			
79.			3,669,470	6/1972	Deurloo			
80.			3,685,745	8/1972	Peschcke-Koedt			
81.			3,731,084	5/1973	Trevorrow			
82.			3,754,779	8/1973	Peress			
83.			3,860,271	1/1975	Rodgers			
84.			3,861,719	1/1975	Hand			
85.			3,869,151	3/1975	Fletcher et al.			
86.			3,910,277	10/1975	Zimmer			
87.			D237,708	11/1975	Grohe			
88.			3,929,164	12/1975	Richter			
89.			3,931,992	1/1976	Coel	285	30	
90.			D240,322	6/1976	Staub			
91.			4,005,880	2/1977	Anderson et al.			
92.			4,006,920	2/1977	Sadler et al.			
93.			4,023,782	5/1977	Eifer			
94.			4,045,054	8/1977	Arnold			
95.			D249,356	9/1978	Nagy			
96.			4,162,801	7/1979	Kresky et al.			
97.			4,243,253	1/1981	Rogers, Jr.			
98.			4,258,414	3/1981	Sokol			
99.			4,274,400	6/1981	Baus			



RECEIVED

DEC 22 2003

Sheet 4 of 9

TECHNOLOGY CENTER R3700

	EXAMINER INITIAL		PATENT NUMBER	ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
100.			4,282,612	8/1981	King			
101.			D268,442	3/1983	Darmon			
102.			4,383,554	5/1983	Merriman			
103.			4,396,797	8/1983	Sakuragi et al.			
104.			4,425,965	1/1984	Bayh, III et al.			
105.			4,465,308	8/1984	Martini			
106.			4,495,550	1/1985	Visciano			
107.			4,540,202	9/1985	Amphoux et al.			
108.			4,545,081	10/1985	Nestor et al.			
109.			4,553,775	11/1985	Halling			
110.			D281,820	12/1985	Oba et al.			
111.			4,571,003	2/1986	Roling et al.			
112.			D283,645	4/1986	Tanaka			
113.			4,643,463	2/1987	Halling et al.			
114.			4,645,244	2/1987	Curtis			
115.			4,652,025	3/1987	Conroy, Sr.			
116.			4,669,757	6/1987	Bartholomew			
117.			4,683,917	8/1987	Bartholomew			
118.			4,733,337	3/1988	Bieberstein			
119.			4,739,801	4/1988	Kimura et al.			
120.			4,790,294	12/1988	Allred, III et al.			
121.			4,809,369	3/1989	Bowden			
122.			4,839,599	6/1989	Fischer			
123.			4,842,059	6/1989	Tomek			
124.			D302,325	7/1989	Charet et al.			
125.			4,850,616	7/1989	Pava			
126.			4,856,822	8/1989	Parker			
127.			4,863,328	9/1989	Malek	411	114	
128.			4,865,362	9/1989	Holden			
129.			4,871,196	10/1989	Kingsford			
130.			D306,351	2/1990	Charet et al.			
131.			4,901,927	2/1990	Valdivia			
132.			4,903,178	2/1990	Englot et al.			
133.			4,907,137	3/1990	Schlادitz et al.			
134.			4,946,202	8/1990	Perricone			



RECEIVED

DEC 22 2003

Sheet 5 of 9

TECHNOLOGY CENTER R3700

	EXAMINER INITIAL		PATENT NUMBER	ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
135.			4,951,329	8/1990	Shaw			
136.			4,964,573	10/1990	Lipski			
137.			4,972,048	11/1990	Martin			
138.			D314,246	1/1991	Bache			
139.			5,022,103	6/1991	Faist			
140.			5,032,015	7/1991	Christianson			
141.			5,033,528	7/1991	Volcani			
142.			5,046,764	9/1991	Kimura et al.			
143.			D321,062	10/1991	Bonbright			
144.			D322,681	12/1991	Yuen			
145.			5,086,878	2/1992	Swift			
146.			5,103,384	4/1992	Drohan			
147.			5,134,251	7/1992	Martin			
148.			D329,504	9/1992	Yuen			
149.			5,153,976	10/1992	Benchaa et al.			
150.			5,154,483	10/1992	Zeller			
151.			5,163,752	11/1992	Copeland et al.			
152.			5,197,767	3/1993	Kimura et al.			
153.			5,220,697	6/1993	Birchfield			
154.			D337,839	7/1993	Zeller			
155.			D338,542	8/1993	Yuen			
156.			5,254,809	10/1993	Martin			
157.			D341,220	11/1993	Eagan			
158.			5,263,646	11/1993	McCauley	138	DIG. 8	
159.			5,265,833	11/1993	Heimann et al.			
160.			5,268,826	12/1993	Greene			
161.			5,276,596	1/1994	Krenzel			
162.			5,286,071	2/1994	Storage			
163.			5,288,110	2/1994	Allread			
164.			D345,811	4/1994	Van Deursen et al.			
165.			5,333,787	8/1994	Smith et al.			
166.			5,340,165	8/1994	Sheppard			
167.			5,349,987	9/1994	Shieh			
168.			5,368,235	11/1994	Drozdoft et al.			
169.			5,369,556	11/1994	Zeller			



RECEIVED

DEC 22 2003

Sheet 6 of 9

TECHNOLOGY CENTER R3700

	EXAMINER INITIAL		PATENT NUMBER	ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
170.			5,370,427	12/1994	Hoelle et al.			
171.			5,385,500	1/1995	Schmidt			
172.			D356,626	3/1995	Wang			
173.			5,398,977	3/1995	Berger et al.			
174.			D361,399	8/1995	Carbone et al.			
175.			5,449,206	9/1995	Lockwood			
176.			D363,360	10/1995	Santarsiero			
177.			5,468,057	11/1995	Megerle et al.			
178.			D364,935	12/1995	deBlois			
179.			D365,625	12/1995	Bova			
180.			D365,646	12/1995	deBlois			
181.			D366,707	1/1996	Kaiser			
182.			D366,708	1/1996	Santarsiero			
183.			D366,709	1/1996	Szymanski			
184.			D366,710	1/1996	Szymanski			
185.			5,481,765	1/1996	Wang			
186.			D366,948	2/1996	Carbone			
187.			D367,333	2/1996	Swyst			
188.			D367,934	3/1996	Carbone			
189.			D368,146	3/1996	Carbone			
190.			D368,317	3/1996	Swyst			
191.			D368,539	4/1996	Carbone et al.			
192.			D368,540	4/1996	Santarsiero			
193.			D368,541	4/1996	Kaiser et al.			
194.			D368,542	4/1996	deBlois et al.			
195.			D369,873	5/1996	deBlois et al.			
196.			D369,874	5/1996	Santarsiero			
197.			D369,875	5/1996	Carbone			
198.			D370,277	5/1996	Kaiser			
199.			D370,278	5/1996	Nolan			
200.			D370,279	5/1996	deBlois			
201.			D370,280	5/1996	Kaiser			
202.			D370,281	5/1996	Johnstone et al.			
203.			5,517,392	5/1996	Rousso et al.			
204.			5,521,803	5/1996	Eckert et al.	362	198	



RECEIVED

DEC 22 2003

Sheet 7 of 9

TECHNOLOGY CENTER R3700

	EXAMINER INITIAL		PATENT NUMBER	ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
205.			D370,542	6/1996	Santarsiero			
206.			D370,735	6/1996	DeBlois			
207.			D370,987	6/1996	Santarsiero			
208.			D370,988	6/1996	Santarsiero			
209.			D371,448	7/1996	Santarsiero			
210.			D371,618	7/1996	Nolan			
211.			D371,619	7/1996	Szymanski			
212.			D371,856	7/1996	Carbone			
213.			D372,318	7/1996	Szymanski			
214.			D372,319	7/1996	Carbone			
215.			5,531,625	7/1996	Zhong			
216.			D372,548	8/1996	Carbone			
217.			D372,998	8/1996	Carbone			
218.			D373,210	8/1996	Santarsiero			
219.			D373,434	9/1996	Nolan			
220.			D373,435	9/1996	Nolan			
221.			D373,645	9/1996	Johnstone et al.			
222.			D373,646	9/1996	Szymanski et al.			
223.			D373,647	9/1996	Kaiser			
224.			D373,648	9/1996	Kaiser			
225.			D373,649	9/1996	Carbone			
226.			D373,651	9/1996	Szymanski			
227.			D373,652	9/1996	Kaiser			
228.			D374,297	10/1996	Kaiser			
229.			D374,298	10/1996	Swyst			
230.			D374,299	10/1996	Carbone			
231.			D374,493	10/1996	Szymanski			
232.			D374,494	10/1996	Santarsiero			
233.			D374,732	10/1996	Kaiser			
234.			D374,733	10/1996	Santarsiero			
235.			5,567,115	10/1996	Carbone			
236.			D376,217	12/1996	Kaiser			
237.			D376,860	12/1996	Santarsiero			
238.			D376,861	12/1996	Johnstone et al.			
239.			D376,862	12/1996	Carbone			



RECEIVED

DEC 22 2003

Sheet 8 of 9

TECHNOLOGY CENTER R3700

	EXAMINER INITIAL		PATENT NUMBER	ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
240.			5,624,074	4/1997	Parisi	138	134	
241.			D379,404	5/1997	Spelts			
242.			D381,405	7/1997	Waidele et al.			
243.			5,667,146	9/1997	Pimentel et al.	239	587.1	
244.			5,749,602	5/1998	Delaney et al.			
245.			5,778,939	7/1998	Hok-Yin	138	109	
246.			5,865,378	2/1999	Hollinshead et al.	239	587.1	
247.			5,997,047	12/1999	Pimentel et al.			
248.			6,042,155	3/2000	Lockwood			
249.			6,164,569	12/2000	Hollinshead et al.	239	587.1	
250.			6,164,570	12/2000	Smeltzer	138	120	

FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

		DOCUMENT NUMBER	PUBLISHED DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
251.		659510	3/1963	Canada				
252.		167063 A	6/1985	Europe				
253.		0 683 354	11/1995	Europe				
254.		0 687 851	12/1995	Europe				
255.		0 695 907	2/1996	Europe				
256.		0 721 082	7/1996	Europe				
257.		538538	6/1922	France				
258.		1098836	8/1955	France				
259.		2695452	3/1994	France				
260.		352813	5/1922	Germany				
261.		854100	10/1952	Germany				
262.		2360534	6/1974	Germany				
263.		2806093	8/1979	Germany				
264.		32 46 327 A1	12/1982	Germany				
265.		4034695 A1	5/1991	Germany				
266.		19608085 A1	3/1998	Germany				
267.		3314	12/1914	United Kingdom				
268.		129812	7/1919	United Kingdom				

**RECEIVED**

DEC 22 2003

Sheet 9 of 9

TECHNOLOGY CENTER R3700

FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

		DOCUMENT NUMBER	PUBLISHED DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
269.		204600	10/1923	United Kingdom				
270.		634483	3/1950	United Kingdom				
271.		971866	10/1964	United Kingdom				
272.		2156932A	10/1985	United Kingdom				
273.		10086	2/1988	United Kingdom				
274.		2298595	9/1996	United Kingdom				
275.		327400	7/1936	Italy				
276.		350359	7/1937	Italy				
277.		S63-181459	11/1988	Japan				
278.		H2-78660	6/1990	Japan				
279.		8902957	6/1991	Netherlands				
280.		WO 93/12894	7/1993	PCT				
281.		WO 93/25839	12/1993	PCT				
282.		WO 96/23999	8/1996	PCT				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

283.		"Showermaster 2" advertisement, Showermaster, P.O. Box 5311, Coeur d'Alene, ID 83814, as early as Jan. 1997

EXAMINER**DATE CONSIDERED**

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.